

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:17-cv-00994-RDM**

JUDICIAL WATCH, INC. v. US DEPARTMENT OF  
VETERANS' AFFAIRS  
Assigned to: Judge Randolph D. Moss  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/24/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**JUDICIAL WATCH, INC.**

represented by **James F. Peterson**  
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V.

**Defendant**

**U.S. DEPARTMENT OF VETERANS'  
AFFAIRS**

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*TERMINATED: 02/15/2019*

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202-252-2510

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 05/24/2017 | <u>1</u> | COMPLAINT against US DEPARTMENT OF VETERANS' AFFAIRS ( Filing fee \$ 400 receipt number 0090-4963951) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons U.S. Department of Veterans' Affairs)(Orfanedes, Paul) (Entered: 05/24/2017)   |
| 05/24/2017 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Orfanedes, Paul) (Entered: 05/24/2017)   |
| 05/24/2017 |          | Case Assigned to Judge Randolph D. Moss. (zsb) (Entered: 05/24/2017)   |
| 05/24/2017 | <u>3</u> | SUMMONS (3) Issued Electronically as to US DEPARTMENT OF VETERANS' AFFAIRS, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Consent Form)(zsb) (Entered: 05/24/2017)  |
| 05/25/2017 | <u>4</u> | STANDING ORDER: The parties are hereby ORDERED to comply with the directives set out in the attached standing order. See document for details. Signed by Judge Randolph D. Moss on 5/25/2017. (lcrdm2, ) (Entered: 05/25/2017)   |
| 05/30/2017 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/30/2017. ( Answer due for ALL FEDERAL DEFENDANTS by 6/29/2017.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/30/2017., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. US DEPARTMENT OF VETERANS' AFFAIRS served on 5/30/2017 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Orfanedes, Paul) (Entered: 05/30/2017) |
| 06/29/2017 | <u>6</u> | ANSWER to Complaint by US DEPARTMENT OF VETERANS' AFFAIRS.(Peterson, Benton) (Entered: 06/29/2017)   |
| 07/05/2017 |          | MINUTE ORDER: The parties are hereby ORDERED to appear for an initial scheduling conference at 10:00 a.m. on July 28, 2017, in Courtroom 21. Signed by Judge Randolph D. Moss on 7/5/2017. (lcrdm2, ) (Entered: 07/05/2017)  |
| 07/05/2017 |          | Set/Reset Hearings: An Initial Scheduling Conference is set for 7/28/2017, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 07/05/2017)   |
| 07/28/2017 |          | Minute Entry for proceedings held before Judge Randolph D. Moss: Initial Scheduling Conference held on 7/28/2017. Order forthcoming. (Court Reporter: Jeff Hook.) (kt) (Entered: 07/28/2017)   |
| 07/28/2017 |          | ENTERED IN ERROR.....Minute Entry for proceedings held before Judge Randolph D. Moss: Scheduling Conference held on 7/28/2017. Minute Order forthcoming. (Court Reporter: Jeff Hook.) (kt) Modified on 7/28/2017 entered in wrong case (kt). (Entered: 07/28/2017)   |
| 07/28/2017 |          | MINUTE ORDER: It is hereby ORDERED that Defendant shall inform Plaintiff of Defendant's understanding of the scope of documents responsive to Plaintiff's FOIA request on or before August 28, 2017. It is FURTHER ORDERED that the parties shall file a joint status report containing a proposed schedule for document production or other proceedings on or before September 26, 2017. Signed by Judge Randolph D. Moss on 7/28/2017. (lcrdm2, ) (Entered: 07/28/2017)  |
| 07/28/2017 |          | Set/Reset Deadlines: Defendant shall inform Plaintiff of Defendant's understanding of the scope of documents responsive to Plaintiff's FOIA request on or before 8/28/2017; Joint Status Report due by 9/26/2017. (kt) (Entered: 07/28/2017)   |
| 09/26/2017 | <u>7</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 09/26/2017)   |
| 09/26/2017 |          | MINUTE ORDER: In light of the parties' representations in the Joint Status Report <u>7</u> , it is hereby ORDERED that the parties shall file a further joint status report on or  |

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|            |           | before December 15, 2017, advising the Court on any remaining issues. Signed by Judge Randolph D. Moss on 9/26/2017. (lcrdm2, ) (Entered: 09/26/2017)  |
| 09/27/2017 |           | Set/Reset Deadlines: Joint Status Report due by 12/15/2017. (kt) (Entered: 09/27/2017)   |
| 12/15/2017 | <u>8</u>  | NOTICE of Appearance by James F. Peterson on behalf of JUDICIAL WATCH, INC. (Peterson, James) (Entered: 12/15/2017)  |
| 12/15/2017 | <u>9</u>  | Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by JUDICIAL WATCH, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, James) (Entered: 12/15/2017)  |
| 12/18/2017 | <u>10</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 12/18/2017)   |
| 12/18/2017 |           | MINUTE ORDER: Upon consideration of Plaintiff's unopposed motion for extension <u>9</u> , the motion is hereby GRANTED. The parties' joint status report <u>10</u> is deemed timely filed. It is hereby ORDERED that the parties shall file a further joint status report on or before February 15, 2018. Signed by Judge Randolph D. Moss on 12/18/2017. (lcrdm2, ) (Entered: 12/18/2017) |
| 12/18/2017 |           | Set/Reset Deadlines: Joint Status Report due by 2/15/2018. (kt) (Entered: 12/18/2017)  |
| 02/15/2018 | <u>11</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 02/15/2018)   |
| 02/16/2018 |           | MINUTE ORDER: In light of the parties' joint status report <u>11</u> , it is hereby ORDERED that the parties shall file a further status report on or before April 16, 2018. Signed by Judge Randolph D. Moss on 2/16/2018. (lcrdm2, ) (Entered: 02/16/2018)   |
| 02/16/2018 |           | Set/Reset Deadlines: Joint Status Report due by 4/16/2018. (kt) (Entered: 02/16/2018)  |
| 04/13/2018 | <u>12</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 04/13/2018)   |
| 04/17/2018 |           | MINUTE ORDER: In light of the parties' joint status report <u>12</u> , it is hereby ORDERED that the parties shall submit a joint status report on or before June 15, 2018, and every 60 days thereafter. Signed by Judge Randolph D. Moss on 4/17/2018. (lcrdm2, ) (Entered: 04/17/2018)  |
| 04/17/2018 |           | Set/Reset Deadlines: Joint Status Report due by 6/15/2018. (kt) (Entered: 04/17/2018)  |
| 06/14/2018 | <u>13</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 06/14/2018)   |
| 06/15/2018 |           | MINUTE ORDER: In light of the parties' joint status report <u>13</u> , the parties are hereby ORDERED to file a further joint status report on or before August 15, 2018. Signed by Judge Randolph D. Moss on 6/15/2018. (lcrdm2, ) (Entered: 06/15/2018)  |
| 06/18/2018 |           | Set/Reset Deadlines: Joint Status Report due by 8/15/2018. (kt) (Entered: 06/18/2018)  |
| 08/14/2018 | <u>14</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Orfanedes, Paul) (Entered: 08/14/2018)   |
| 10/15/2018 | <u>15</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Peterson, James) (Entered: 10/15/2018)   |
| 12/17/2018 | <u>16</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Peterson, James) (Entered: 12/17/2018)   |
| 02/15/2019 | <u>17</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Derek S. Hammond on behalf of U.S. DEPARTMENT OF VETERANS' AFFAIRS Substituting for attorney Benton G. Peterson (Hammond, Derek) (Entered: 02/15/2019)  |
| 02/15/2019 | <u>18</u> | Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Peterson, James) (Entered: 02/15/2019)   |
| 02/18/2019 |           | MINUTE ORDER: In light of the parties' joint status report, Dkt. 18, it is hereby ORDERED that the parties shall file a further joint status report on or before May 15,   |

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|            |           | 2019, updating the Court on the status of the preparation of the <i>Vaughn</i> Index and proposed next steps in this litigation.. Signed by Judge Randolph D. Moss on 2/18/2019. (lcrdm2, ) (Entered: 02/18/2019)  |
| 02/19/2019 |           | Set/Reset Deadlines: Joint Status Report due by 5/15/2019. (kt) (Entered: 02/19/2019)  |
| 05/15/2019 | <u>19</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF VETERANS' AFFAIRS. (Hammond, Derek) (Entered: 05/15/2019)  |
| 05/16/2019 |           | MINUTE ORDER: In light of the parties' joint status report, Dkt. 19, it is hereby ORDERED that the parties shall file a further joint status report on or before July 16, 2019 updating the Court on the status of the parties' negotiations and, if necessary, proposing next steps in this litigation. Signed by Judge Randolph D. Moss on 5/16/2019. (lcrdm2, ) (Entered: 05/16/2019)   |
| 05/16/2019 |           | Set/Reset Deadlines: Joint Status Report due by 7/16/2019. (kt) Modified on 7/11/2019 to correct deadline date (kt). (Entered: 05/16/2019)   |
| 07/16/2019 | <u>20</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF VETERANS' AFFAIRS. (Hammond, Derek) (Entered: 07/16/2019)  |
| 07/17/2019 |           | MINUTE ORDER: Upon consideration of the parties' Joint Status Report, Dkt. 20, it is hereby ORDERED, that the following schedule shall govern future proceedings in this matter: Defendant shall file a motion for summary judgment on or before October 14, 2019; Plaintiff shall file a combined opposition and cross-motion on or before November 13, 2019; Defendant shall file a combined opposition and reply on or before December 13, 2019; and Plaintiff shall file a reply on or before January 3, 2020. Signed by Judge Randolph D. Moss on 07/17/2019. (lcrdm2, ) (Entered: 07/17/2019)  |
| 07/18/2019 |           | Set/Reset Deadlines: Defendant shall file a motion for summary judgment on or before 10/14/2019; Plaintiff shall file a combined opposition and cross-motion on or before 11/13/2019; Defendant shall file a combined opposition and reply on or before 12/13/2019; Plaintiff shall file a reply on or before 1/3/2020. (kt) (Entered: 07/18/2019)   |
| 10/11/2019 | <u>21</u> | Consent MOTION to Vacate <i>Briefing Schedule</i> by U.S. DEPARTMENT OF VETERANS' AFFAIRS (Attachments: # <u>1</u> Text of Proposed Order)(Hammond, Derek) (Entered: 10/11/2019)   |
| 10/15/2019 |           | MINUTE ORDER: Upon consideration of Defendant's unopposed motion to vacate briefing schedule, Dkt. 21, it is hereby ORDERED that the motion is GRANTED and the current summary judgment briefing schedule is VACATED. It is further ORDERED that the following schedule shall govern future proceedings in this matter: on or before December 4, 2019, the parties shall submit a joint status report describing the parties' efforts to narrow or eliminate issues of disagreement between the parties; and, on or before January 6, 2020, the parties shall submit a joint status report indicating whether further litigation in this matter will be necessary and, if so, jointly proposing a briefing scheduling. Signed by Judge Randolph D. Moss on 10/15/2019. (lcrdm2, ) Modified on 10/16/2019 to add text. (dot). (Entered: 10/15/2019) |
| 10/15/2019 |           | Set/Reset Deadlines: Joint Status Report due by 12/4/2019, describing the parties' efforts to narrow or eliminate issues of disagreement between the parties. Joint Status Report due by 1/6/2020, indicating whether further litigation in this matter will be necessary and, if so, jointly proposing a briefing scheduling. (dot) (Entered: 10/15/2019)   |
| 12/03/2019 | <u>22</u> | NOTICE of Appearance by William J. Chang on behalf of U.S. DEPARTMENT OF VETERANS' AFFAIRS (Chang, William) (Entered: 12/03/2019)  |